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Reporting obligation (article 1)

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General Comment on article 1

Adopted on 16 July 2002 at the 2025th meeting

1. States parties have undertaken to submit reports in accordance with article 40 of the Covenant within one year of its entry into force for the States parties concerned and, thereafter, whenever the Committee so requests.

2. The Committee notes, as appears from its annual reports, that only a small number of States have submitted their reports on time. Most of them have been submitted with delays ranging from a few months to several years and some States parties are still in default, despite repeated reminders by the Committee.

3. Other States have announced that they would appear before the Committee but have not done so on the scheduled date.

4. To remedy such situations, the Committee has adopted new rules:

(a) If a State party has submitted a report but does not send a delegation to the Committee, the Committee may notify the State party of the date on which it intends to consider the report or may proceed to consider the report at the meeting that had been initially scheduled;

(b) When the State party has not presented a report, the Committee may, at its discretion, notify the State party of the date on which the Committee proposes to examine the measures taken by the State party to implement the rights guaranteed under the Covenant;

(i) If the State party is represented by a delegation, the Committee will, in the presence of the delegation, proceed with this examination on the date assigned;

(ii) If the State party is not represented, the Committee may, at its discretion, either decide to proceed to consider the measures taken by the State party to implement the guarantees of the Covenant on the initial date or notify a new date to the State party.

For the purposes of the application of these procedures, the Committee shall hold its meetings in public session if a delegation is present and in private if a delegation is not present, and shall follow the modalities set forth in the reporting guidelines and in the rules of procedure of the Committee.

5. After the Committee has adopted concluding observations, a follow-up procedure shall be employed in order to establish, maintain or restore a dialogue with the State party. For this purpose, and in order to enable the Committee to take further action, the Committee shall appoint a special rapporteur, who will report to the Committee.

6. In the light of the report of the Special Rapporteur, the Committee shall assess the position adopted by the State party and, if necessary, set a new date for the State party to submit its next report.

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